

## Agency Answers to Committee Questions Raised at the January 25 Meeting

### Department of Health and Human Services

**WHAT PERCENTAGE OF APPLICATIONS FOR BENEFITS APPLIED FOR THROUGH DSS WERE DENIED FOR CERTAIN CODES DURING THE LAST TEN YEARS. AS A PRELIMINARY STEP TOWARDS ACQUIRING THIS INFORMATION, WHAT ARE THE DIFFERENT CODES?**

[In the attached Excel spreadsheet] is the denial information on Food and Nutrition Services for SFY 2005-2011 on undocumented immigrants. We only have data for the past 7 years.

**HOW MANY PEOPLE ARE SERVED BY ADULT PROTECTIVE SERVICES IN EACH COUNTY? OF THESE, TO THE EXTENT THAT YOU CAN DETERMINE THE IMMIGRATION STATUS OF PERSONS SERVED, HOW MANY OF THOSE SERVED ARE UNDOCUMENTED ALIENS?**

[Below] is a spreadsheet with information on Adult Protective Services reports received by county departments of social services for SFY 2011. We have also included data by county on the Public Guardianships managed by county DSSs. We cannot determine the immigration status of persons served for either of these two services as I explained in my presentation to the Committee:

- **Adult Protective Services (APS)** – Limited to screening and evaluation – APS can provide limited assistance to elderly persons or persons with a disability who are reportedly abused, neglected or exploited. Undocumented immigrants are eligible for screening and evaluation of reports of abuse, neglect and exploitation since the county DSS is considered the same as a first responder. If the DSS substantiates a need for APS, no federal, state, or county resources can be used to provide protective services. Efforts are made to refer to religious or charitable organizations. Funds used for APS screening and evaluation of undocumented immigrants are not tracked separately from funds used to provide APS. Administrative Letter 03-2002 – developed in collaboration with the NC Attorney General’s Office and the UNC School of Government - describes the exception to citizenship status for the purposes of responding to reports of abuse, neglect and exploitation at:  
[http://www.ncdhhs.gov/aging/adultsvcs/aps/adm/aps\\_032002.pdf](http://www.ncdhhs.gov/aging/adultsvcs/aps/adm/aps_032002.pdf) **Citizenship status is not verified by APS or guardianship specifically; it normally comes to their attention from other programs required to verify citizenship (e.g., Medicaid) or the referral source (e.g., an acute care hospital).**
- **Guardianship** – local DSS’ may be appointed guardians, but no publicly funded services may be provided to the ward. When adults have been adjudicated incompetent by the Clerk of Court, directors or assistant directors of county departments of social services may be appointed to serve as guardians. However, no publicly funded services can be provided for a ward who is an undocumented immigrant. Administrative Letter 03-2002 describes how county DSS’s should handle guardianship for undocumented immigrants:  
[http://www.ncdhhs.gov/aging/adultsvcs/aps/adm/aps\\_032002.pdf](http://www.ncdhhs.gov/aging/adultsvcs/aps/adm/aps_032002.pdf)

County	* APS Reports Received 2011	** DSS as Guardian
Alamance	312	55
Alexander	103	2
Alleghany	51	8
Anson	49	3
Ashe	91	25
Avery	2	4
Beaufort	216	19
Bertie	27	3
Bladen	68	24
Brunswick	215	9
Buncombe	1,230	2
Burke	172	37
Cabarrus	336	33
Caldwell	487	34
Camden	7	3
Carteret	211	43
Caswell	76	16
Catawba	299	50
Chatham	60	22
Cherokee	96	28
Chowan	49	4
Clay	33	1
Cleveland	733	16
Columbus	190	12
Craven	156	22
Cumberland	428	59
Currituck	26	8
Dare	109	15
Davidson	305	48
Davie	95	14
Duplin	125	5
Durham	653	70
Edgecombe	65	11
Forsyth	655	134
Franklin	66	11
Gaston	691	46
Gates	35	1
Graham	47	5
Granville	44	13
Greene	49	8
Guilford	388	199
Halifax	26	8
Harnett	143	22
Haywood	122	28
Henderson	300	28

County	* APS Reports Received 2011	** DSS as Guardian
Johnston	239	12
Jones	13	0
Lee	73	21
Lenior	140	9
Lincoln	130	18
Macon	89	2
Madison	86	7
Martin	86	9
McDowell	116	32
Mecklenburg	1,869	310
Mitchell	10	16
Montgomery	63	12
Moore	168	24
Nash	48	11
New Hanover	787	64
Northampton	22	8
Onslow	288	36
Orange	51	17
Pamlico	11	3
Pasquotank	58	30
Pender	133	14
Perquimans	36	6
Person	125	10
Pitt	243	43
Polk	59	4
Randolph	317	24
Richmond	67	5
Robeson	380	17
Rockingham	228	49
Rowan	310	54
Rutherford	234	14
Sampson	97	20
Scotland	46	20
Stanley	113	8
Stokes	104	26
Surry	95	28
Swain	97	14
Transylvania	77	10
Tyrrell	10	3
Union	93	22
Vance	57	4
Wake	1,177	387
Warren	55	9
Washington	20	5
Watauga	82	9

<b>Hertford</b>	31	11
<b>Hoke</b>	98	14
<b>Hyde</b>	11	1
<b>Iredell</b>	303	18
<b>Jackson</b>	162	22

<b>Wayne</b>	315	45
<b>Wilkes</b>	192	22
<b>Wilson</b>	103	22
<b>Yadkin</b>	65	27
<b>Yancey</b>	30	7
<b>Totals</b>	<b>19,553</b>	<b>1,274</b>

**Data Source:**

\*APS Survey

2011

\*\*CSDW Summary of Wards as of 2/1/2012

### **HOW MANY PEOPLE PRESENT THEMSELVES AT EMERGENCY ROOMS ANNUALLY AND WHAT PERCENTAGE OF THEM HAVE CONDITIONS THAT ARE DETERMINED TO CONSTITUTE AN EMERGENCY? HOW DOES THIS PERCENTAGE COMPARE WITH STATES THAT BORDER NORTH CAROLINA?**

We don't know if undocumented aliens are seen at doctor's offices or elsewhere and then referred to emergency rooms. We can get data on the undocumented (or aliens within the 5 year bar) who are approved for emergency Medicaid and the claims paid for the days they are authorized. It is important that the Committee understands that we do not cover undocumented aliens for all visits to the emergency room. As shown in our slides, there has to be a medical determination of a condition that meets the definition of life-threatening or putting their health in serious jeopardy in order for Medicaid to cover the services. That determination is made by our contractor who reviews medical records submitted (mostly by hospitals).

The vast majority of emergency room visits do not meet that requirement. Conditions such as broken limbs, flu, etc. do not meet the requirements. Also, just because they are admitted to the hospital does not mean they have a condition that meets the definition for Medicaid eligibility. If we could cover all those, the numbers of individuals served would be much, much higher.

### **WHAT PERCENTAGE OF UNDOCUMENTED ALIENS WHO PRESENT THEMSELVES TO NON-EMERGENCY ADMISSIONS ARE THEN REFERRED TO THE EMERGENCY ROOM?**

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### **HOW MANY UNDOCUMENTED ALIENS RECEIVE BENEFITS FROM THE NC PRE-K PROGRAM?**

The NC Pre-Kindergarten program is currently serving 267 children that are recorded in our database as a “no” answer to the following question:

6. Is Child a U.S. Citizen? Choose Yes if you know child is a U.S. Citizen; otherwise, choose No/Do not know.

**HOW MANY UNDOCUMENTED ALIENS RECEIVE EMERGENCY CARE THROUGH MEDICAID IN GEORGIA, ALABAMA, AND SOUTH CAROLINA?**

Information for [this question] is not readily available that staff knows of, they have looked at several web sites and cannot locate anything.

Department of Revenue

**HOW MANY ITIN RETURNS HAVE BEEN FILED IN THE YEARS SINCE 2007? ALSO, HOW MUCH IS BEING PAID IN REFUNDS TO ITIN HOLDERS DURING THIS PERIOD?**

<b>Tax Year</b>	<b>Number of returns filed with ITINs</b>	<b>Number of ITIN returns requesting refunds</b>	<b>Total Amount of refunds originally requested</b>	<b>ITIN returns reviewed as part of ITIN initiative</b>	<b>Amount of original returns reduced or assessed add'l tax</b>	<b>Total amount of refunds after adjustments</b>
<b>2008</b>	117,735	97,021	\$38,278,693	4,042	\$4,350,354	\$33,928,339
<b>2009</b>	123,230	104,218	\$35,133,442	8,750	\$6,847,761	\$28,285,681
<b>2010</b>	104,640	89,029	\$35,620,309	5,993	\$5,759,598	\$29,860,711
<b>Totals</b>	<b>345,605</b>	<b>290,268</b>	<b>\$109,032,444</b>	<b>18,785</b>	<b>\$16,957,713</b>	<b>\$92,074,731</b>

**WHAT PROHIBITS DOR FROM NOTIFYING EMPLOYERS WHEN IT DISCOVERS FALSE SOCIAL SECURITY NUMBERS?**

The answer to follow up question #2 is G.S. 105-259; Secrecy required of offices; prohibits disclosure of tax information.

Division of Motor Vehicles

**HOW MANY VALID DRIVERS LICENSES DON'T HAVE SOCIAL SECURITY NUMBERS ASSOCIATED WITH THEM?**

There are currently 7,558 special identification cards, 1,324 learner permits and 29,055 driver licenses issued without a social security number on the DMV record. These issuances do not have social security number on the record, because at the time of application the customer had not been assigned a social security number. If and when the customer is assigned a number, they must provide the Division with proof of that number and it will be added to the DMV record. All of the issuances are valid, not expired.

**WHAT IS BEING DONE IN OTHER STATES TO STRENGTHEN DRIVERS LICENSE ELIGIBILITY VERIFICATION PROCEDURES? IN OTHER WORDS, IS THERE ANYTHING NORTH CAROLINA COULD DO TO IMPROVE THE STRENGTH OF OUR ELIGIBILITY VERIFICATION PROCEDURES?**

- To address the growing concern of fraudulent documents the National Highway Traffic Safety Administration (NHTSA) and the American Association of Motor Vehicle Administrators (AAMVA) developed a Fraudulent Identification Prevention Program (FIPP).
- In the spring of 2002, AAMVA created a Fraudulent Document Recognition (FDR) Model Training Program to provide state DMVs training to optimize detection of fraudulent documents.
- Since the inception of FDR, 92% of State DMVs have downloaded the FDR courseware.
- Fraudulent Document Recognition Training is a REAL ID requirement.
- To date, all NCDMV driver license examiners have received FDRT.
- FDRT is included in driver license basic training for new hires.
- To address the concern of undocumented immigrants, as of 03/2011, 32 State DMVs have implemented some level of legal presence requirements or has local laws that require applicants to provide proof of legal presence.